

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
LUBBOCK DIVISION**

<b>EDWARD LENTZ, on Behalf of</b>	§	
<b>Himself and All Other Employees</b>	§	
<b>Similarly Situated</b>	§	
<b>V.</b>	§	
<b>SPANKY’S RESTAURANT II, INC.</b>	§	
<b>D/B/A DOUBLE NICKEL STEAKHOUSE;</b>	§	
<b>LISA B. WEST; LADY WEST</b>	§	
<b>ENTERPRISES, LTD. D/B/A DOUBLE</b>	§	<b>NO. 5-06-CV-285-C</b>
<b>NICKEL STEAKHOUSE</b>	§	<b>ECF</b>

**AGREED MOTION TO DISMISS WITH PREJUDICE**

TO THE HONORABLE SAM R. CUMMINGS, UNITED STATES DISTRICT JUDGE  
PRESIDING:

Plaintiff, EDWARD LENTZ, on behalf of himself and all other employees similarly situated, including Sherman Sholars, files this Agreed Motion to Dismiss With Prejudice, and respectfully show the Court that Plaintiff, EDWARD LENTZ, on behalf of himself and all other employees similarly situated, including Sherman Sholars, desire to dismiss their respective claims against all Defendants with prejudice with costs charged to the party by whom incurred, and Defendants dismiss their claims for attorneys’ fees with prejudice.

WHEREFORE, Plaintiff prays that this cause be dismissed with prejudice with costs charged to the party by whom incurred.

Respectfully submitted,

s/ Fernando M. Bustos  
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**CERTIFICATE OF SERVICE**

I hereby certify that on the 15th day of May, 2007, I electronically filed the foregoing document with the clerk of the court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. The electronic filing system sent a "Notice of Electronic Filing" to the following parties, all of whom have consented in writing to accept this Notice as service of this document by electronic means.

s/ Fernando M. Bustos  
FERNANDO M. BUSTOS

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